



**Benton County Planning Board
Public Hearing
Technical Advisory Committee Meeting**

November 7, 2012

6:00 PM.

Benton County Administration Building
215 East Central Avenue

Meeting Minutes

PUBLIC HEARING:

Call to Order: The meeting was convened at 5:58 PM by Planning Board Chair Mark Curtis.

Roll Call: Jim Cole, Chair Mark Curtis, Vice-Chair Ashley Tucker, and Ken Knight were present. Starr Leyva and John Pate were absent.

Persons present in addition to the Board: Benton County Administrator of General Services Elizabeth Bowen, Director of Planning and Environmental Services Christopher Ryan, Planning Division Manager Rinkey Singh, Planning Coordinator M.J. McGetrick, and Planning Assistant Brenda Kilby. In the audience were Gloria Knight and Kendall Moore.

Disposition of Minutes: Mr. Knight made a motion to accept the minutes of 10/17/12 and 10/24/12 as written. Mr. Pate seconded the motion. The motion passed, 4-0.

General Public Comment: None

Old Business: None

New Business: None

TECHNICAL ADVISORY COMMITTEE

Call to Order – 6:01 PM

Old Business: None

- A. New Business: Moore Event Barn –** LSD # 12-212, JP District 13, 20662 Bruce Rutherford Road, Siloam Springs, AR. Represented by Kendall Moore.

Discussion Summary: Planning Staff presented the project to the Board, the Board asked for clarification on various aspects of the development and Mr. Moore responded. After a discussion, the Board moved the project to the Public Hearing scheduled for November 21, 2012. The applicant is requesting a waiver from Chapter X, Section 2-B.3.A.

Staff Presentation:

Ms. Singh presented the project to the Board, explaining that the request is to change use of an existing 70'x72' (5,040sq.ft.) barn to a venue for special events, such as wedding receptions, church events and family gatherings. The building will accommodate two (2) restrooms, two (2) storage rooms and a caterer's kitchen (no cooking) and an assembly area. The open area to the west may be used for outside events either open air or with tents, however, no hardscape is proposed.

The proposal also includes construction of a parking area accommodating 62 vehicles and three (3) accessible parking spaces. The parking area is proposed to be gravel; however, the area in front of the building is proposed to be paved with concrete for accessible parking spaces and a loading zone. Access will utilize the existing access driveways from Bruce Rutherford Road.

The building will be available seven (7) days a week, and the proposed hours of operation for this facility are: Sunday-Thursday: All events will end no later than 10 pm. Friday and Saturday: All events will end no later than 11 pm.

The subject property is municipally known as 20690 Bruce Rutherford Road (barn) and 20662 Bruce Rutherford Road (mini storage) in Siloam Springs and is located east of the City limit. The site is surrounded by vacant pasture lands along the north, east and west sides. The area to the south along Bruce Rutherford Road has few residential units along with vacant wooded lots. The overall land area is ten (10) acres that accommodates a storage building located on the south-east side of the property and a barn structure on the north-west side. A wooded area in the middle of the site visually separates the two areas of the site. Both buildings have separate access driveways from Bruce Rutherford Road as shown on the overall site plan. At this location, Bruce Rutherford Road is a two-lane paved local road. The existing access driveways have unrestricted sight distance in both directions from the site. The property has a chain link fence along the entire perimeter to help secure the storage facility. In addition, a chain link fence separates the storage facility and the barn area. This is located along the line of trees along the middle of the site. In accordance with the Engineer's note on the site plan, *"This property does not lie in the 100 year flood zone according to FEMA Map#05007C0390J, dated September 28, 2007."*

A mini storage building has been in operation on the east side of the site; however, no record of building permit is available. In the absence of any building permit records, in order to determine the legal status of the storage building, staff reviewed the aerial photos to establish the timelines for the construction of the storage building.

Review of aerial photos dating back to the year 2001 show that the mini storage building along with a gravel area existed on the east side of the site. The applicant is using the storage building to store tents etc. related to the proposed use of the barn as well as provides storage rental to other users. The west side of the property accommodated a mobile home and few accessory structures, i.e., camping trailers and an old barn, which have since been removed or demolished. In 2012, the applicant demolished the existing dilapidated barn and constructed the subject barn. Since he decided to use the barn for special events, it required necessary renovations, such as provision of bathrooms, storage area etc. During a request for inspection the Benton County Chief Building Inspector issued a stop-work-order and the applicant was required to seek Planning approval for the change of use from agricultural to commercial, therefore, this application was submitted for review.

Technical Review of Site Plan

1. Scope of Review: The scope of review is limited to the westerly portion of the site related to the barn only. Staff requested the applicant to provide setback and other dimensional information for the mini storage building and associated parking/loading area to determine compliance with the regulations as shown on the site plan. Note that any future changes must be reviewed by the Planning Board.
2. Required: A fifty (50) feet setback measured from the center line of the fronting road or twenty-five (25) feet from the fronting property line, whichever is greater is required.
3. Comment: The proposed barn is setback substantially from the roadway. The storage building is located approx. 55.92 feet from the centerline of the road and 36.49 feet from the property line. Therefore, both the buildings comply with the setback requirements. Existing trees on site provide a visual buffer for the proposed building.

She further reviewed all the considerations for parking, site services and utilities. The referred to the conclusion that the subject proposal Complied with the Planning Regulations and suggested that the Board consider the following stipulations in their decision:

1. That the applicant submit a revised site plan, prior to the Public Hearing, showing the limit of the concrete paving and width of the accessible aisle;
2. That the owner fulfill the following stipulations, prior to the issuance of a Certificate of Occupancy (CO):
 - a) Agrees to fulfill all the Standard Stipulations;
 - b) Agrees to provide a Stormwater Management Plan regarding on-site stormwater drainage and its impact on the surrounding properties.

3. Should the Planning Board grant the requested waiver from Stormwater Management Plan, in lieu of the Stormwater Management Plan, an Engineer's Certificate or Letter should be required.
4. That the applicant agrees to provide an engineer's certificate regarding on-site stormwater drainage and its impact on the surrounding properties;
5. That the owner FULFILL the following stipulations, prior to the issuance of a Certificate of Occupancy (CO):
 - i. That the applicant agrees to coordinate any use of security or electrically driven gates, if proposed in future, with the Siloam Springs and Benton County Fire Marshall prior to installation; the Knox box listed on the proposal will need authorization forms from the SSFD and install locations coordinated by the same;
 - ii. That the applicant agrees that in case the well is to be used any time in future, they shall obtain the approval of the well as a Semi-Public well and further, agrees to obtain the necessary approvals from the Department of Health.
 - iii. That the owner agrees to enter into service agreement and or obtain the necessary permit from Siloam Springs Water/wastewater and Electrical Department.

Board Discussion: Mr. Kendall Moore appeared before the Board and stated that the event barn has been framed in, but the interior has not been completed. Mr. Pate asked what types of events were planned for the property. Mr. Moore stated that he anticipated wedding receptions, fund raising events, and similar events. Mr. Pate asked if alcohol would be consumed on the premises. Mr. Moore said he presently had no plans to provide alcohol. However, he indicated that no decision had been made on the issue of alcohol at the present time. Mr. Pate asked if he had considered the issues of a loud band and people drinking and dancing, and if that would disturb the neighbors. Mr. Moore said that as the building was enclosed and not an open pavilion, noise would be minimal. Mr. Pate asked Mr. Moore if neighbors had expressed concerns, and Mr. Moore said no. Mr. Tucker asked what year the storage units on the property had been built. Mr. Moore said he wasn't certain, as the original owner was now deceased, and a previous owner had built the storage building. Mr. Knight asked if a sprinkler system would be necessary. Ms. Singh stated that Benton County Chief Building Inspector Glenn Tracy said no sprinkler system is necessary, as the occupancy of the building, at 227, was below the threshold of 300. Mr. Knight suggested that stormwater drainage be examined carefully and also expressed concern about the location of the trash receptacle and the parking lot lighting. Mr. Knight suggested the trash receptacle be moved closer to the building and that the lighting be placed in the center of the parking lot and be low level lighting that will not distract drivers on the roadway adjacent to the building, or blind them as they passed. Mr. Tucker suggested that the applicant examine the contrast ratio when considering lighting. He also questioned if the structural design was reviewed for snow loads. Ms. Singh, noted that Benton County Chief Building Inspector had reviewed the Plans and not identified any concerns. She will check with Mr. Tracy to ensure that structural stability with regards to snow loads were in compliance with the Building Code.

The applicant stated that the proper notices had been sent to neighboring property owners. Copy of the certified receipts were provide to Planning staff.

Mr. Curtis said the project would be ready to be considered at the next public hearing, on November 21, 2012.

The meeting adjourned at 6:45 PM